



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4a  
B.D. PR

In re application of:

Richards et al.

Appl. No. 09/875,290

Filed: June 7, 2001

For: **Apparatus, System and Method  
for One-of-Many Positions  
Modulation in a Communications  
System**

Confirmation No.: 4657

Art Unit: 2681

Examiner: To be assigned

Atty. Docket: 1659.0860001

**Preliminary Amendment**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination of the above-captioned application, Applicant submits the following Amendments and Remarks. This Amendment is provided in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;
- (B) Starting on a separate page, appropriate remarks and arguments. 37 C.F.R. § 1.111 and MPEP 714; and
- (C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

***In the Specification:***

Substitute the current version of paragraph [0001] with the following paragraph:

[0001] This application is a continuation-in-part of U.S. Nonprovisional Application No. 09/537,692, filed March 29, 2000, (which is incorporated herein by reference),

a'